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January 3, 2020

The Honorable Lynne A. Sitarski  
United States Magistrate Judge  
United States Courthouse, Room 3015  
601 Market Street  
Philadelphia, Pennsylvania 19106

**RE: *Darrell Johnson v. Superintendent Lee Estock, et al.***  
**Civil Action No. 19-5093**

Dear Judge Sitarski,

Enclosed please find a copy of the Respondents' Motion for an Extension of Time to File a Response to the Petition for Writ of Habeas Corpus, which has been filed with the Clerk.

Respectfully submitted,

/s/ Kelly Wear

Kelly Wear  
Assistant District Attorney

cc: Todd Henry, Esquire

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DARRELL JOHNSON,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT LEE ESTOCK, <i>et al.</i>,</b>	:	<b>NO. 19-5093</b>
<b>Respondents.</b>		

**ORDER**

**AND NOW**, this                      day of                      , 2020, Respondents' motion  
for a 90-day extension of time to file a response by April 2, 2020 is **GRANTED**.

BY THE COURT:

\_\_\_\_\_  
The Honorable Lynne A. Sitarski

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DARRELL JOHNSON,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT LEE ESTOCK, <i>et al.</i>,</b>	:	<b>NO. 19-5093</b>
<b>Respondents.</b>		

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO  
PETITION FOR WRIT OF HABEAS CORPUS**

LAWRENCE S. KRASNER, the District Attorney of Philadelphia County, by his assistants, KELLY WEAR, Assistant District Attorney, and MAX C. KAUFMAN, Supervisor, Federal Litigation, on behalf of Respondents, respectfully requests a 90-day extension of time to file a response to the petition for writ of habeas corpus identified above and in support thereof, states:

The response to petitioner Darrell Johnson’s petition for writ of habeas corpus is due on January 3, 2020. Unfortunately, the Commonwealth will be unable to meet that deadline, and respectfully requests more time.

This matter is now assigned to the undersigned, Kelly Wear, who recently returned to the District Attorney’s Office from FMLA leave. Because I have six previously-assigned matters in this Court with upcoming deadlines, I have not yet reviewed the petition or drafted a reply. Given my present caseload, and that of the assigned editor, it will take me at least an additional 90 days to prepare a response to the petition for writ of habeas corpus.

Every attorney in the Federal Litigation Unit is operating under an extremely heavy caseload. As such, no other attorney is available to file a response any earlier.

WHEREFORE, Respondents respectfully request that they be granted a 90-day extension of time from January 3, 2020, to April 2, 2020, to file a response to the petition for writ of habeas corpus.

Respectfully submitted,

/s/ Kelly Wear

Kelly Wear  
Assistant District Attorney

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DARRELL JOHNSON,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT LEE ESTOCK, <i>et al.</i>,</b>	:	<b>NO. 19-5093</b>
<b>Respondents.</b>		

**CERTIFICATE OF SERVICE**

I, KELLY WEAR, counsel for respondents, hereby certify that on January 3, 2020, a copy of the foregoing was served via this Court's electronic filing system on petitioner's counsel, Todd Henry, Esquire.

/s/ Kelly Wear

Kelly Wear  
Assistant District Attorney